

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

JOHN HANCOCK LIFE INSURANCE
COMPANY, JOHN HANCOCK VARIABLE
LIFE INSURANCE COMPANY, and
MANULIFE INSURANCE COMPANY (f/k/a
INVESTORS PARTNER INSURANCE
COMPANY),

Plaintiffs,

v.

ABBOTT LABORATORIES,

Defendant.

CIVIL ACTION NO. 05-11150-DPW
Hon. Judge Douglas P. Woodlock

**ABBOTT LABORATORIES' UNOPPOSED MOTION FOR
IMPOUNDMENT OF CONFIDENTIAL INFORMATION**

Pursuant to Local rule 7.2, Defendant Abbott Laboratories (“Abbott”) respectfully moves for leave to file Abbott’s Memorandum in Support of Motion for Summary Judgment on Hancock’s Rescission Claim (“Memorandum”), the Affidavit of Eric J. Lorenzini in Support of Abbott’s Motion for Summary Judgment on Hancock’s Rescission Claim (“Lorenzini Affidavit”), and Abbott’s Statement of Facts Pursuant to Local Rule 56.1 in Support of its Motion for Summary Judgment on Hancock’s Rescission Claim (“Statement of Facts”) under seal. This motion is narrowly tailored to address only competitively sensitive information regarding Abbott’s drug development program. Within five business days, Abbott will file a public version of the Memorandum, Lorenzini Affidavit, and Statement of Facts in which only the confidential information will be redacted.

Abbott respectfully requests that the unredacted version of the Memorandum, the

Lorenzini Affidavit, and the Statement of Facts be impounded until further Order of the Court. In addition, Abbott respectfully requests that the Court accept the Memorandum, the Lorenzini Affidavit, and the Statement of Facts provisionally under Seal pending the Court's ruling on this Motion. Upon termination of the impoundment period, Abbott will retrieve and take custody of the unredacted versions of the Memorandum, the Lorenzini Affidavit, and the Statement of Facts.

The grounds for this motion are that the Memorandum, the Lorenzini Affidavit, and the Statement of Facts contain confidential and competitively sensitive information regarding Abbott's development of various drug compounds and Hancock's investment in such development. Disclosure of the information contained in these documents could cause competitive harm to Abbott by providing competitors with proprietary information regarding Abbott's drug development program, as well as its market analysis and business strategies. Hancock does not oppose this motion.

ABBOTT LABORATORIES

By its attorneys

/s/ Michael S. D'Orsi
Michael S. D'Orsi
Peter E. Gelhaar (BBO #188310)
Michael S. D'Orsi (BBO #566960)
DONNELLY, CONROY & GELHAAR LLP
1 Beacon St., 33rd Floor
Boston, Massachusetts 02108
(617) 720-2880

and

Jeffrey I. Weinberger (Admitted Pro Hac Vice)
Gregory D. Phillips (Admitted Pro Hac Vice)
Eric J. Lorenzini (Admitted Pro Hac Vice)
Ozge Guzelsu (Admitted Pro Hac Vice)
MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue, 35th Floor
Los Angeles, CA 90071
(213) 683-9100

Dated: July 20, 2007

LOCAL RULE 7.1 CERTIFICATION

The undersigned hereby certifies that counsel for Abbott Laboratories has conferred with counsel for Plaintiffs in a good faith effort to resolve or narrow the issues in this Motion. Plaintiffs' counsel has confirmed that Plaintiffs do not oppose this motion.

/s/ Michael S. D'Orsi

Date: July 20, 2007

CERTIFICATE OF SERVICE

I hereby certify that this document(s) filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) and paper copies will be sent to those indicated as non registered participants on July 20, 2007.

Date: July 20, 2007

/s/ Michael S. D'Orsi